

## **Minutes of the April 2005 Commission Meeting**

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**April 14, 2005**

**Commission Offices, 1900 Capitol Avenue, Sacramento**

### **COMMISSION MEMBERS ATTENDING**

Leslie Peterson Schwarze, School Board Member, Chair  
Jon Stordahl, Teacher, Vice Chair  
Catherine Banker, Public Representative  
Maytte Bustillos, Teacher  
Paul Clopton, Public Representative  
Guillermo Gomez, Teacher  
Elaine C. Johnson, Public Representative  
Steve Lilly, Faculty Member  
Leslie Littman, Designee, Office of the Superintendent of Public Instruction  
Aida Molina, School Administrator

### **COMMISSION MEMBERS ABSENT**

Gloria Grant, Teacher  
Lawrence H. Madkins, Jr., Teacher

### **EX-OFFICIO REPRESENTATIVES**

Marilyn McGrath, California Postsecondary Education Commission  
Athena Waite, University of California  
Bill Wilson, California State University

### **EX-OFFICIO REPRESENTATIVES ABSENT**

Karen Symms Gallagher, Association of Independent California Colleges and Universities

### **STATE BOARD LIAISON**

Ruth Bloom

### **CURRICULUM COMMISSION LIAISON**

Becky Brown

### **COMMISSION STAFF PRESENTING**

Sam Swofford, Executive Director  
Mary Armstrong, General Counsel, Director, Professional Practices Division  
Lee Pope, Staff Counsel, Professional Practices Division  
Janet Vining, Staff Counsel, Professional Practices Division  
Kimberly Hunter, Staff Counsel, Professional Practices Division  
Dale Janssen, Director, Certification, Assignment & Waivers Division

April 14, 2005 Commission Meeting  
Approved Minutes

Rhonda Brown, Program Analyst, Certification, Assignment & Waivers Division  
Terri Fesperman, Assistant Consultant, Certification, Assignment & Waivers Division  
Steve Burke, Analyst, Certification, Assignment & Waivers Division  
Crista Hill, Manager, Fiscal Business Services Division  
Elizabeth Graybill, Director, Professional Services Division  
Amy Jackson, Administrator, Professional Services Division  
Larry Birch, Administrator, Professional Services Division  
Susan Porter, Consultant, Professional Services Division  
Mark McLean, Assistant Consultant, Professional Services Division  
Helen Hawley, Consultant, Professional Services Division  
Mike McKibbin, Consultant, Professional Services Division  
Jim Alford, Consultant, Professional Division

**Recording Secretary**

Scott Mackey

*Thursday, April 14, 2005*

**2A: Meeting Called to Order**

The General Session was called to order by Chair Schwarze. Roll was taken. Commissioners Grant and Madkins were not present. Everyone joined in the Pledge of Allegiance.

**2B: Approval of the March 2005 Minutes**

Commissioner Littman moved to approve the March 2005 minutes. Commissioner Gomez seconded, and the minutes were approved without dissent.

**2C: Approval of the April 2005 Agenda**

Commissioner Stordahl proposed to change the order of the agenda as follows: Items 3, 7, 4 and 5. Chair Schwarze noted that Item 6 had been removed from the agenda. Commissioner Gomez moved to approve the agenda as amended. Commissioner Banker seconded, and the revised agenda was approved without dissent.

**2D: Approval of the April 2005 Consent Calendar**

Commissioner Littman moved to approve the consent calendar. Commissioner Molina seconded, and the Consent Calendar was approved without dissent.

**Division of Professional Practices**

The Commission approved the following:

**RECOMMENDATIONS OF THE COMMITTEE OF CREDENTIAL**

Education Code section 44244.1 allows the Commission to adopt the recommendation of the Committee of Credentials without further proceedings if the individual does not request an administrative hearing within a specified time.

April 14, 2005 Commission Meeting  
Approved Minutes

1. **AGUIRRE, Alan** Yorba Linda, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of five (5) days** for misconduct pursuant to Education Code section 44421.
2. **BUCK-PIEHE, Tina M.** Adelanto, CA  
Ms. Buck-Piehe is the subject of **public reproof** for misconduct pursuant to Education Code section 44421.
3. **CASTRO, George A.** La Quinta, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.
4. **CHASE, Janina G.** Brea, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of ten (10) days** for misconduct pursuant to Education Code section 44421.
5. **CRUZ, Philip A.** Riverside, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of thirty (30) days** for misconduct pursuant to Education Code section 44421.
6. **FARID, Mehran J.** San Diego, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.
7. **FRISK, Stanton L.** Santa Clarita, CA  
Mr. Frisk is the subject of **public reproof** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.
8. **FULTS, Meghan G.** Santa Ana, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.
9. **GAINES, Dana L.** Bakersfield, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of ninety (90) days** for misconduct pursuant to Education Code section 44421.

April 14, 2005 Commission Meeting  
Approved Minutes

10. **GASSNER, Terri A.** Napa, CA  
Ms. Gassner is the subject of **public reproof** for misconduct pursuant to Education Code section 44420.
11. **GOAR, Michael A.** Riverside, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of ten (10) days** for misconduct pursuant to Education Code section 44421.
12. **HUDSON, Larry W.** San Diego, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of thirty (30) days** for misconduct pursuant to Education Code section 44421.
13. **SAMSON, David J.** Bellflower, CA  
Mr. Samson is the subject of **public reproof** for misconduct pursuant to Education Code section 44421.
14. **TAYLOR, Harry C.** West Yellowstone, MT  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of ten (10) days** for misconduct pursuant to Education Code section 44421.
15. **WALTER, Reita T.** San Diego, CA  
Ms. Walter is the subject of **public reproof** for misconduct pursuant to Education Code section 44421.
16. **WEBER, John R.** Balboa, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.
17. **WHITE, Jill A.** Sonoma, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of fifteen (15) days** for misconduct pursuant to Education Code section 44421.
18. **YANEZ, Gilberto B.** Hayward, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.

**CONSENT DETERMINATIONS**

19. **KLEIN, Henry W.** Fairfield, CA  
The Proposed Consent Determination, which stipulates that Mr. Klein agrees **not to apply or seek reinstatement** of his revoked credential and any submission for a credential will result

in the immediate denial of the application or petition, pursuant to Education Code section 44421, is adopted.

20. **SALICHS, Deborah L.** Huntington Beach, CA  
The Attorney General's Proposed Consent Determination, which stipulates that Ms. Salichs's credentials are **suspended for a period of fifteen (15) days**, the **suspension is stayed**, and she is placed on **probation for a period of two (2) years**, pursuant to California Education Code section 44421, is adopted.
21. **SMITH, Robert D.** Brentwood, CA  
The Proposed Consent Determination, which stipulates that Mr. Smith's Single Subject Teaching Credential is **suspended for a period of one hundred eighty (180) days**, however, the **suspension is stayed** and he is placed on **probation for a period of three (3) years**, pursuant to California Education Code section 44421, is adopted.
22. **THOMPSON, Jennifer K.** Bakersfield, CA  
The Attorney General's Proposed Consent Determination, which stipulates that Ms. Thompson's application is **granted and revoked**, however, the **revocation is stayed**, with an **actual six (6) month suspension** and she is placed on **probation for a period of three (3) years**, pursuant to California Education Code section 44421, is adopted.

#### PRIVATE ADMONITIONS

Pursuant to Education Code section 44438, the Committee of Credentials recommends **two (2)** private admonitions for the Commission's approval.

#### DECISION AND ORDERS

23. **HAGOPIAN, Stephen G.** Redding, CA  
In accordance with the default provisions of Government Code section 11520, Mr. Hagopian's credentials are **revoked**.
24. **LEE, Sharon E.** Armona, CA  
In accordance with the default provisions of Government Code section 11520, Ms. Lee's credentials are **suspended for a period of thirty (30) days**.

#### PROPOSED DECISION

25. **DARLING, Scott A.** Roseville, CA  
The Administrative Law Judge's Proposed Decision, which reflects the Committee of Credentials' recommendation to **deny** all pending applications, is adopted.

#### RESCISSION

26. **GARCIA, Diana M.** Fullerton, CA  
The Commission's action reported on the November 2003 (#3) All Points Bulletin to revoke all certification documents, effective December 19, 2003, is hereby rescinded.

### REQUESTS FOR REVOCATION

27. **LARSON, Dohn E.** Hollister, CA  
Upon his written request, pursuant to Education Code section 44423, his Life Specialist Instruction Credential in Special Education is **revoked**.
28. **VELCAMP, John T.** Los Gatos, CA  
Upon his written request and while allegations of misconduct were pending, all certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** pursuant to Education Code section 44423. This does not constitute consent for purposes of Education Code section 44440(b).
29. **WOOD, Howard J.** Laguna Niguel, CA  
Upon his written request, pursuant to Education Code section 44423, his Clear Specialist Instruction Credential in Special Education and supplementary authorization of Biology on his Clear Single Subject Teaching Credential are **revoked**.

### DIVISION OF PROFESSIONAL PRACTICES MANDATORY ACTIONS

All certification documents held by and applications filed by the following individuals were mandatorily revoked or denied pursuant to Education Code sections 44346, 44346.1, 44424, 44425 and 44425.5, which require the California Commission on Teacher Credentialing to mandatorily revoke the credentials held by individuals convicted of specified crimes and to mandatorily deny applications submitted by individuals convicted of specified crimes.

30. **BRAVOS, Andrea G.** Tarzana, CA
31. **BRIGGS, Stephen Peter, Jr.** Tracy, CA
32. **BROOKS, Sherran L.** Muscoy, CA
33. **BURKE, Maria D.** Arroyo Grande, CA
34. **DOMINGUEZ, Francis A.** Palmdale, CA
35. **ORTIZ, Manuel Jr.** Whittier, CA
36. **PRADO, Robert O.** Chatsworth, CA
37. **WOOD, John P.** Redlands, CA

### AUTOMATIC SUSPENSIONS

All certification documents held by the following individuals were automatically suspended because a complaint, information or indictment was filed in court alleging each individual committed an offense specified in Education Code section 44940. Their certification documents will remain automatically suspended until the Commission receives notice of entry of judgment pursuant to Education Code section 44940(d) and (e).

38. **McCULLOUGH, Ronald V.** Fortuna, CA
39. **PORTILLO, Edward** Monterey Park, CA
40. **ZISKIN, Peter T.** Del Mar, CA

**NO CONTEST SUSPENSION**

All credentials held by the following individual were suspended, pursuant to Education Code section 44424 or 44425, because a plea of no contest was entered to an offense specified in the above sections of the Education Code.

41. **ZAVALA, Edica V.** Bakersfield, CA

**NON-DISCIPLINARY SUSPENSION**

42. **OMER, Douglas W.** Escondido, CA  
All Certification documents are **suspended** pursuant to the terms of his Consent Determination and Order, requiring the tolling of the probation while Mr. Omer is out of the state.

**TERMINATION OF AUTOMATIC SUSPENSION**

Pursuant to Education Code section 44940(d), the automatic suspension of all credentials held by the following individual was terminated and the matter referred to the Committee of Credentials for review.

43. **GUARNIERI, Gregory J.** Palmdale, CA

**TERMINATION OF NO CONTEST SUSPENSIONS**

The suspension of all credentials held by the following individuals were terminated, pursuant to Education Code section 44424 or 44425, following final disposition of the case.

44. **LAMAR, Cornell D.** Sacramento, CA
45. **SELSOR, James E.** Sacramento, CA

**TERMINATIONS OF PROBATION**

46. **HALEWIJN, Paul V.** Fullerton, CA  
Having successfully complied with the terms and conditions of probation contained in the Consent Determination and Order, which was adopted by the Commission on January 9, 2003, **the stay order has been made permanent and his credential is restored.**
47. **MILLER, Virginia** Los Angeles, CA  
Having successfully complied with the terms and conditions of probation contained in the Consent Determination and Order, which was adopted by the Commission on August 14, 2003, **the stay order has been made permanent and his credential is restored.**

**Certification, Assignment & Waivers Division**

**Denial of Credential Waiver Request**

1. Andrew J. Slater/Fremont Unified School District

**2E: Chair's Report**

Chair Schwarze commended staff for the overwhelming amount of work, support and patience that they have shown towards the new commissioners. She thanked them for their help getting them up to speed on their new tasks. The staff's efforts are very much appreciated.

Chair Schwarze then presented the Governor's and the State Board of Education *Governor's Education Principles*, noting that Governor Schwarzenegger was the third governor to carry forth the torch for education reform. The Governor's seven principles were then read:

1. Safeguard the State Board of Education adopted academic content standards as the foundation of California K-12 educational system; the same standards for all children.
2. Insure that curriculum is rigorous, standards-aligned, and research-based utilizing State Board adopted materials or standards-aligned textbooks in grades 9-12, to prepare children for college or the workforce.
3. Insure the availability of State Board of Education adopted instructional materials for Kindergarten and grades 1 to 8 and locally adopted standards-aligned instructional materials in grades 9 to 12.
4. Support professional development for teachers on the adopted instructional materials that are used in the classroom.
5. Maintain the assessment and accountability system (including STAR, EAP, CAHSEE, and CELDT).
6. Insure that the California Commission on Teacher Credentialing and all other teacher training institutes use State Board adopted standards as the basis for determining the subject matter competency of teacher candidates.
7. Strengthen coordination between K-12 and higher education.

She noted that if we keep these principles in mind as we go forward then the Commission would be doing excellent work. She commended Commissioners Lilly, Johnson and Littman for their excellent work on the front line of this reform effort.

**2F: Executive Director's Report**

Dr. Swofford wanted to thank Chair Schwarze and the other Commissioners for their commendation of staff.

Dr. Swofford noted that there was an award ceremony the day before in which staff members were recognized for outstanding work. He cited the entire staff's hard work and all they have been able to achieve. Ten employees were honored for their excellence in achieving the mission of the Commission by going above and beyond their job

descriptions and civil service classifications. Certificates of Appreciation were awarded to the following individuals by their senior managers:

Patty Kelly, Certification and Assignment Waiver Division  
Michael McKibbin, Professional Service Division  
Joan Condit, Division of Professional Practices  
Tim Brown, Office of Governor Relations  
Jodi Amaro, Information Technology and Support Management Division  
Heidi Brida, Office of Human Resources  
Maureen Henkelman, Office of Human Resources  
Stacy Frank, Office of Human Resources  
Isabel Navarette, Office of Human Resources  
Nicholas Pearce, Executive Office

The Executive Director's Meritorious Award of 2004 was awarded to Nancy Passaretti of the Certification, Assignment and Waivers Division. She was instrumental in the conversion of the Commission's outdated information technology system to the new Teacher Credential Improvement Project. Her efforts were extraordinary on this long and difficult project.

Dr. Swofford congratulated all of these individuals and reiterated that they were deserving of the highest recognition of the Commission. He added that he was very proud of these individuals, noting that the Commission has gone from 204 employees to 140 in the last two years while the work continues as they strive to do all they can to succeed. He noted how proud he was to work with such individuals.

Dr. Swofford mentioned that Commissioner Madkins is seriously ill and out for at least one month.

## **2G: Commission Member Reports**

Chair Schwarze added some comments not included in the Chair's report, noting that there are some items that the Commission did not visit last time because of time constraints and some of which have been postponed further because they cannot be completed in one day. They will be in the "parking lot." In particular the IDEA has been delayed, but as long as the federal government still hasn't completed its regulations then it should be okay. Another item delayed was the study session for accreditation. This has been put off to May-June because it is a two day meeting and more time can be devoted to a full discussion at that time.

Chair Schwarze also asked that the Liaison Report be moved up and asked Board Member Bloom to give her report of items being worked on.

Ms. Bloom outlined some of the issues the Board has been working on. These included the Request for Proposals for California English Development Language Test. Also, the Board is developing a new test to replace the existing Spanish Assessment of Basic

Education (SABE) test. Their March meeting heard a presentation about the California Career Technical Education Model Curriculum Standards.

Also, the Physical Education Model Content Standards for California public schools were adopted by the Board in January. These include categories throughout K-12 in areas of motor skill development, knowledge of movement concepts, development and assessment of physical fitness, knowledge of physical fitness concepts, principles and strategies, and demonstration and implementation of psychological and sociological concepts, principles and strategies.

In January, they developed regulations for supplemental services. These are provided when schools don't reach their Academic Yearly Progress (AYP). These standards are online. More and more private entities setting up Saturday and after school tutoring programs. She expressed her opinion that the requirements for these programs are not as stringent as they should be. But we have developed standards for them that include showing what credentials teachers have to instruct students. A New York Times article addressed this subject a few weeks ago and focused on how these programs were not being monitored in New York and New Jersey.

Commissioner Johnson asked how the supplemental programs were funded and if the teachers were credentialed. Ms. Bloom replied that they were funded by the state and the federal government and that the teachers weren't necessarily credentialed. They do have to complete a very lengthy application. Many teachers do band together to form their own business to provide these services.

Chair Schwarze introduced Ms. Becky Brown of the Curriculum Commission, who reported that in their last couple of meetings they approved a revision to the math framework, and are currently working on the revision to the reading and language arts framework. The Curriculum Commission is also in the midst of the follow-up adoption of the foreign language, reading/language arts, and math frameworks. The panels are reviewing those materials. The Curriculum Commission has had their training for IMAP and CRT and will be moving forward on these in June. They are in the primary adoption stage for history/social studies.

Chair Schwarze commented that the math framework has become more stabilized over the years compared to the early- to late-1990s.

## **CREDENTIALING AND CERTIFICATED ASSIGNMENTS COMMITTEE**

### **7A: Teacher Supply in California 2003-2004: A Report to the Legislature**

Steve Burke, Analyst, Certification, Assignment & Waivers Division, presented an overview of the 2003-2004 report. The report is provided in response to AB 471, which requires that the Commission report to the Governor and the Legislature each year on the number of teachers who received credentials certificates, permits and waivers. The report includes the type and number of documents issued authorizing service to teach in California public schools or schools under public contract for fiscal year 2003-2004.

In fiscal year 2003-2004 California saw a 16% increase in the number of newly credentialed teachers, a 50% decrease in the number of emergency teaching permits, and a drop of 58% in the number of credential waivers.

In 2003-2004, there were 31,397 new teachers credentialed in California. Of these, 27,150 were California IHE prepared by a California institution of higher education (IHE), a 25.4% increase from 2002-2003. The IHE prepared teachers were broken down as follows: 16,117 received multiple subject credentials, 8,053 received single subject credentials, and 2,908 received an education specialist credential. During the same period, 672 teachers received District prepared credentials, an increase of 6.5%, with most (515) receiving multiple subject credentials. There were 3,575 out-of-state prepared credentials earned, a drop of 26.4% from the 2002-2003 period. Of the out-of-state credentials, 1,577 were multiple subject, 1,655 were single subject, and 343 were education specialist credentials.

Overall, multiple subject teaching credentials comprised 58% of the total number of credentials issued in 2003-2004. Single subject teaching credentials comprised 31%, and education specialist credentials comprised 11% of the total.

Alternative routes to certification have shown a steady increase over the years. In 2003-2004, a total of 9,699 earned certificates through alternative routes. This is an increase of 40.5% over 2002-2003, when 6,903 such certificates were earned.

After remaining fairly steady for the 2000-2001, 2001-2002, and 2002-2003 periods, the number of participants in the paraprofessional programs dropped by 17.2% to 1,876 participants in 2003-2004. The number of pre-internship certificates issued dropped to 3,523, a 61.5% drop off from the 2002-2003 period.

Mr. Burke then discussed which institutions of higher education prepare California's teachers. California universities prepared 87% of the newly credentialed teachers in California during fiscal year 2003-2004. Teachers prepared in other states who became credentialed in California comprised 11% of newly credentialed California teachers. The remaining 2% of teachers were prepared through school district internship programs. Of the three university systems, CSU prepared 55% of the new teachers, private/independent universities prepared 40%, and UC prepared 5%.

Regarding the number of people considering a teaching career, Mr. Burke referred to enrollment data for multiple subject, single subject and education specialist teaching credential programs. The data showed that there were 41,607 candidates enrolled in programs for multiple subject teaching credentials, 20,293 candidates enrolled in programs for single subject teaching credentials, and 11,311 candidates enrolled in programs for education specialists teaching credentials during fiscal year 2002-2003. Total enrollment is down almost 4% over fiscal 2001-2002. Another indicator of interest in teaching is the number of individuals taking the CBEST. There were 84,048 CBEST

examinees (includes repeat test takers) during fiscal year 2003-2004, a decrease of 23.7% over the previous year.

Finally, Mr. Burke noted that for the fourth consecutive year, both emergency permits and credential waivers have decreased from the previous year. The number of teachers on emergency permits has decreased from 6.8% in 2002-2003 to 3.4% in 2003-2004. Credential waivers decreased from 0.4% of the total certificated teaching staff in 2002-2003 to 0.2% in 2003-2004.

Upon approval the complete 300+ page report will be posted to the Commission's Web site.

Ms. Bloom asked what the proposed supply need of teachers will be over the next five years. Mr. Janssen responded that the commission doesn't have methods to get the "demand side" of the equation. This report is a supply side report and creating a demand side study is largely a funding issue. At present there is no unique identifier to match up Commission data with the Department of Education data. There have been discussions that the Commission has been a part of to establish a teacher information system. After October, Mr. Janssen explained, he hoped to have some experimental data.

Ms. Bloom then asked how many of those credentialed are employed in the state. Mr. Burke replied that they did not have that data, but hope to be able to answer that in the future.

Commissioner Lilly expressed deep concerns about the declining number of teachers in the state. Commissioner Wilson echoed this sentiment, reflecting not only on the declining enrollment of candidates for teaching but also the aging population of current teachers. The Center for the Future of Teaching and Learning ([www.cftl.org](http://www.cftl.org)) has data on this subject. He added that 97% of fully credentialed teachers take jobs and 95% stay on the job for the first year.

Commissioner Johnson asked if the initial credential for a new teacher was free. Mr. Burke responded that this was no longer the case.

Commissioner Schwarze asked what the Commission does with the document her district completes that identifies areas of critical shortage. In her district every year they use this document to identify needs in math, science, foreign language, and special education.

Mr. Janssen said that was probably the Declaration of Need for Qualified Educators. This document is needed before a district can request emergency permits. This permit goes to the Commission, which tracks this documentation for need. The areas of math, science, foreign language are common for shortages across the state, though other districts have other needs as well.

Commissioner Johnson moved to approve issuing this report to the Legislature. Commissioner Banker seconded and the motion carried without dissent.

## **PUBLIC HEARING**

### **3A: Proposed Amendments to Title 5 Section 80413**

Dale Janssen, Director, Certification, Assignment & Waivers Division, provided background on AB 2210, which was signed by the Governor on August 30, 2004. The bill establishes completion of a Commission-approved induction program as the required route for earning an SB 2042 professional clear multiple subject or single subject teaching credential. If an induction program is unavailable to the preliminary credential holder, the candidate will be allowed to complete a Commission-approved fifth year program. It also allows a candidate to complete a fifth year program if the candidate must complete subject matter course work to meet No Child Left Behind “highly qualified teacher” requirements.

The bill requires the Commission to adopt Title 5 regulations to clarify that, other than specified exceptions, the Commission-approved induction program is required for the SB 2042 professional clear credential.

Mr. Janssen read proposed amendments to the Title 5 Regulations.

§80413(a)(4) The Reading Instruction Competence Assessment (RICA) was added to the regulations based on Education Code Section 44283.

§80413(a)(5) The proposed change to this subsection reflects action the Commission took at its November 2003 meeting requiring preliminary multiple subject teaching credential applicants to pass the subject matter examinations if they enrolled in a multiple subject teacher preparation program after July 1, 2004.

§80413(a)(7) This subsection was added to reflect the computers in the classroom requirement in Education Code Section 44259(b)(7).

§80413(b)(2) This subsection has been added as required by AB 2210. The proposed language requires the employing agency to determine if a teacher may complete a fifth year program based on unavailability of a Commission-approved Induction Program or a teacher must take course work to become No Child Left Behind “highly qualified” in the teacher’s current assignment. The August 30, 2004 effective date is based on the date AB 2210 became effective.

§80413(b)(6) This subsection is being added to reflect the requirement as specified in Education Code Section 44259.5(e).

§80413(d)(1) The proposed language defines which employing agencies can determine whether preliminary credential applicants may participate in a Commission-approved fifth year program. These employing agencies were included in the regulations because these are employment options where a Commission-approved Induction Program may be offered.

Written public comment was submitted prior to the meeting and included in the pink insert. The comment pertained to section B3 and refers to the term “unit” used in this section. The comment felt that this was confusing because there are no longer unit requirements but is now based on standards. If the term is deleted then there would be a requirement for 15-day public notice.

There was no public comment on this item.

Commissioner Lilly asked about the fifth year requirement and if that meant advanced certification including induction like elements towards completing the clear credential.

Mr. Janssen indicated currently the fifth year requirement is based on portions of the standards within the induction standards. There have been discussions about whether the fifth year requirement should be modified. In August the Commission will be reviewing the standards to determine if they should be changed.

Commissioner Lilly moved to adopt the amendments with the deletion of the word “unit” from section B3. The motion was seconded by Commissioner Johnson seconded and the item was approved without dissent.

#### **FISCAL POLICY AND PLANNING COMMITTEE OF THE WHOLE**

##### **4A: Review and Establish the Priorities for the Commission on Teacher Credentialing for Fiscal Year 2005-2006.**

Commissioner Bustillos introduced this item and provided some background. On Wednesday, March 16, 2005, Commission staff attended a Pre-Hearing as part of the regular Spring Budget Subcommittee Hearing process to answer questions and concerns about the Commission’s Budget at a staff level. The meeting included members from the Department of Finance, Legislative Analyst’s Office, and various Assembly Subcommittee Staff Consultants.

A large part of the discussion was focused on addressing the current shortfall with the Teacher Credentials Fund and now the Test Development Administration Account. It was requested that Commission staff look “outside the box”, as well as propose revenue enhancements and cuts that could allow the reduction of approximately \$2.6 million in the Teacher Credentials Fund (TCF) and \$925,000 in the Test Development Administration Account (TDAA) to align the revenues and expenditures in the 2005-2006 Budget Year. The Department of Finance will consider the Commission’s input to the Department of Finance for consideration as part of the May Revision.

Crista Hill, Manager, Fiscal and Business Services, presented line item detail of the budget and outlined the process for budget approval. She noted that the Commission monitors both the TCF and TDAA.

The spending authority is the amount of funds the Commission can expend in a given year. The question was asked whether the spending authority represented an absolute cap on what can be spent. Ms. Hill responded that it was.

Commissioner Johnson asked if the test development fund was owed a lot of money. Ms. Hill replied that this fund was owed \$2.9 million. Commissioner Johnson said that this would still leave a \$3 million deficit in operating funds. Therefore, \$6 million or perhaps \$6.6 million is needed to repay the test development fund, meet operating expenses and have a prudent reserve. Ms. Hill affirmed this statement. She then provided an overview of the spending authority by division as follows:

ADMIN - \$4,755,320 (24%)  
CAW - \$5,308,279 (28%)  
DPP - \$4,202,386 (21%)  
PSD - \$5,185,328 (27%)

Ms. Hill next provided an overview of the Commission's operating expenses and equipment expenditures versus projected revenue (cash flow). Total expenditures were \$7,898,441, with Mandatory expenditures of \$5,369,087 and Non-Mandatory expenditures of \$2,529,354.

Projected revenues were \$4,515,000. Projected TCF revenue shortfall was \$2,600,000, while Projected TDAA revenue shortfall was \$783,000. This represents a grand total of projected shortfall of \$3,383,000. Thus the Commission does not have enough cash to cover expenses if it spends up to the spending authority limit.

The Fund Condition Statement was reviewed next. An overhead of the Fund Condition Statement for the TCF was shown. Similar to a checking account, the Fund Condition shows a running balance. The ending (assuming a loan of \$2.6 million) balance of \$19,000 proposed for fiscal year 2005-2006 is not seen as a prudent reserve.

Ms. Hill asked how does this impact operations of the Commission if a solution is not found. She noted that until a solution is found the Non-Mandatory expenditures are off limits.

To resolve the structural imbalance and fiscal crisis, staff was asked to develop several options for the Commission's review. These are not staff recommendations, but only options for consideration.

Commissioner Lilly asked about the spreadsheets on pages 11-12 that show a \$2.6 million loan. This shows the shortfall in the test development area. He wanted to know why it was done this way instead of showing where the shortfalls actually are. Ms. Hill replied that traditionally you cannot show a negative fund balance.

Commissioner Johnson had some questions and concerns. She noted that this was the first time the Commission has ever looked at this line item detail. She also reviewed the

enabling legislation that states very clearly that the Department of Finance is supposed to fund the Commission at an appropriate level to conduct operations including prudent reserves. She asked how does Finance get the authority to cut the lifeblood out of this Commission. Dr. Swofford replied that this stems from the State's fiscal crisis and that the Commission was instructed to make reductions as have other agencies. He reminded Commission that there is a May Revision.

Commissioner Johnson added that the enabling legislation also notes that the Commission can set and change the credential fee. She asked why the Commission could not move to raise the fee. Dr. Swofford responded that the Governor's Budget Act sets the fee that the Commission can charge. The Commission can vote to raise the fee but would not have the authority to expend the dollars unless authorized under the Budget Act.

Commissioner Johnson thought this sounded like a violation of the law. She questioned why, if an agency is allowed to raise a fee to function at the level it is supposed to then why would the Budget Act not allow that. Dr. Swofford said he did not have an answer.

Commissioner Johnson went on to express her concern that the Commission's work appears to not be valued. She noted that it is necessary to have this discussion openly and publicly. She recommend that as a body that the Commission approve the increase in credentialing fees and refuse to decimate what has become a national model for a licensing agency. She said the Commission can't watch it shrivel and die; they need to take action.

Dr. Wilson asked about Chart 3 and the \$1.5 million for attorneys' fees. Specifically, he wanted to know how much of that went to the Attorney General (AG) and what it was for. The response was that this money covered administrative hearing processes. The law requires that the AG represent the Commission at the administrative hearing level, in Superior Court or above. These fees have been steadily rising.

Dr. Wilson questioned why the Commission might not turn this function over to AG and save the Commission money.

Commissioner Waite asked if the Commission is unable to ask for an increase in the credentialing fee. Dr. Swofford replied that the Commission can do as it wishes regarding issues before it. Ms. Hill noted that in the Budget Act sets the fee at \$55 through June 30. But it isn't clear what the May revision will hold in regards to this fee level.

Commissioner Lilly clarified that there is no set fee amount for 2005-06. Dr. Swofford noted that the Legislative Analyst suggests that every \$5 increase in fees represents a \$1.1 million increase in revenues.

Ms. Bloom commented that the Commission must make a statement that it wants the fee to be raised. By the end of the day the Commission could recommend that the fee be

raised to \$70 to cover the shortfall. And that the Commission could cut in other areas that will not hurt the services that meet the Commission's mission. She noted that if the Commission doesn't make a positive statement of its case then it will get what is handed down.

Commissioner Lilly advocated for restoration of the \$70.

Vice Chair Stordahl expressed discomfort, stating that teacher's salaries are not going up. The discussion about raising fees—however small—puts an undue burden upon teachers. He noted that he would rather look at other areas before raising fees for teachers.

Commissioner Bustillos commended staff for thinking outside the box and for making such a thorough presentation. Public Comment followed.

**Dr. Rex Fortune, Executive Director of Project Pipeline, also representing California Association for Alternative Certification.** Dr. Fortune provided written comments from which he read. He specifically addressed PSD Option 3, which called for moving the administration of State-funded teacher development programs to California Department of Education (CDE). He stated that given Project Pipeline's positive experiences with the current administration of the program for more than a decade, they would encourage the Commission to retain the administration of the Alternative Certification program and the Paraprofessional Teacher Training Program.

**Carolina Pavia, Los Angeles Unified School District.** Ms. Pavia shared her experience with severe teacher shortages and the need to hire emergency permit teachers. The Commission's staff recommendation to increase the percentage of credentialed and intern teachers and to reduce the amount of emergency hires was taken very seriously. Between 2000 and 2004, the percentage of credentialed and intern hires went from 41.3% of those hired to 92.1%. She also encouraged the Commission to retain the administration of Alternative Certification programs. She also urged returning the certification fee to \$70.

**Dr. Catherine Kearney, Director Teacher Development, San Joaquin Department of Education's Project IMPACT.** Dr. Kearney spoke in support of the Professional Services Division. She said that the cuts outlined would render the Commission as a DMV for teachers. The best way to serve teachers would be to ask them to pay a little more to raise the level to \$70. She noted that she spoke with teachers before coming to the Commission meeting and none of them thought it was unreasonable to raise the fee to \$70.

**Bob Polkinghorn, Assistant Vice President, University of California Office of the President.** Mr. Polkinghorn thanked staff for their incredibly hard work and solution options for the budget challenge at hand. He offered that UC very much understands the challenges and want to highlight three or four items. First, he said UC very much supported restoring the credentialing fee to \$70. Also, he appreciated the opportunity to participate in the development of professional services. He stated that he did not support moving the Alternative Teacher Development Program to the Department of Education.

He did suggest that the Commission use a small proportion of program costs to cover overhead, perhaps 5%. He continued that UC did not support PSD Option 4.

Regarding PSD Option 9 he suggested that the Commission work with the state and institutions to seek state funding to cover for the teacher performance assessment. Finally, he said he did not support option 10, which would require the institutions to cover the cost of accreditation.

**Mary Sandy, Associate Director of Teacher Education, CSU Chancellor's Office.** Ms. Sandy commended staff for their analysis. She said that she was puzzled by Chart 3 on pages 8 and 9 and the definition of the mandate that is reflected there. The Education Code also mandates that the Commission is to accredit colleges and universities, to approve subject matter programs, administer examinations, to set standards and review programs against those standards. She said she believes it is critically important to maintain the role in standards setting and accreditation. She urged the Commission not to diminish or set aside this critical function. Specifically, she stated that CSU recommends that the Commission not shift responsibility for teacher development to the Department of Education.

She said CSU would like to recommend that the Commission retain its work in the area of subject matter standards. She also noted concern about the option to charge the higher institutions for accreditation, noting that CSU is already paying a substantial amount for its participation. She said that she realizes the Commission is forced to make cuts, but CSU supports a fully functioning Commission.

**Kathy Harris, California Teachers Association.** Ms. Harris said that she very much appreciated the information presented. She made one general comment indicating that the Commission should keep the cuts far away from the credentialing area. Specifically, reducing the number of meetings would reduce stakeholder participation and input.

**Susan Westbrook, California Federation of Teachers.** Ms. Westbrook said that the CFT has supported fee reductions in the past. She noted that \$70 every five years is not an onerous amount. She said most people spend more than that per year on coffee. CFT is working in the legislature for adequate funding for the Commission. Some of the cuts proposed would impact services and standards too much. She said that charging candidates for the TPA would add a further burden to candidates. In addition, charging institutions for review could push several institutions out as well.

**Dr. Mel Hunt, Credential Counselors and Analysts of California.** Dr. Hunt identified his organization as one with more than 800 members who in a sense are the Commission's representatives in the field. Their members advise candidates and teacher on how to get credentials and how to deal with the nuts and bolts of the business. They rarely speak to issues because they are not a policy group but a working group. Some of the cuts would only shift costs to the higher education bodies, especially smaller colleges, which in turn would pass this onto students. He urged the restoration of the \$70 credentialing fee. This represents an increase of 25 cents per month. He closed by

saying that the CCAC understands the difficult position that the Commission is in and that cuts impact the heart blood of the agency.

**Sharon Robison, Association of California School Administrators.** Ms. Robison said that she believed the Commission is at a point where it cannot cut the budget further without hindering services. She recommended that the Commission consider some of the reductions, but look at restoring the credentialing fee. She recommended looking at three areas to balance the budget. One is the need to issue licenses in a timely manner. Commission staff has been excellent, she noted, but when you look at the reductions, the staff can't keep up with workload. This hurts school systems. Second, she said that the districts need the services provided by the Professional Development Services. Analysts and HR offices need the kinds of information that comes from Commission staff to accurately assign resources. Third, she wanted to make sure the teacher preparation sources are solid. Her organization is seeing recently credentialed teachers as being some of the most qualified and they don't want to see that diminish. She suggested considering whether the fee could be bifurcated: \$55 for first credential and \$70 after that.

**Bruce Kitchen, Liaison, School District Personnel and HR Administration in San Bernardino and San Diego Counties.** Mr. Kitchen expressed his agreement with Commissioner Johnson's earlier comments about budget cuts. A couple of options would be wise, he felt. A case in point would be the \$927,000 in savings in DPP Option 2. PSD Options 3 and 4 are counter-productive and would not save state money but simply shift the expenses elsewhere. He believed that even the shallow savings shown are not certain. He said that the answer is simple: strongly urge the Commission to remove the budget cap and restore the fee to \$70. The financial health of the Commission has been eroded badly and it is time to correct the problem not compound it.

**David Simmons, Coordinator, Ventura County Teacher Superintendent Consortium.** Mr. Simmons said that his organization was opposed to CAW Option 7. He next referred to PSD Options 3 and 4. His organization is opposed to these cuts as well. Currently the Commission provides accountability. Shifting this to the CDE would create conflicting regulators. He said that the bottom line is that these changes would adversely affect his organization's ability to recruit and retain teachers.

Mr. Simmons said that personally, not as a representative of his organization, that he opposed PSD Option 5.

**Veronica Villalobos, Association of Independent California Colleges and Universities.** Ms. Villalobos said that there must be congruency between what the state expects of all stakeholders and the level of services and support that are offered. She said that the existing fees are not sufficient and that the cuts proposed would affect the operating budgets of smaller institutions. She urged the Commission to reinstate the \$70 credentialing fee.

**Caryl Hodges, Associate Dean, University of San Francisco.** She said she wanted to address PSD Option 9, which has to do with the Teaching Performance Assessment

(TPA). At USF they require all students to pass the TPA. The TPA has proven extremely successful in preparing teacher candidates. An outside agency would not be able to provide the timely, in-depth information for further development under the current system. At USF the average cost is \$500 per student to conduct the TPA. She said that USF doesn't charge students. Imagine what an outside agency would charge to administer the TPA, she asked. She closed by urging the Commission not to make the TPA another program to charge students.

**Judith Maxwell Greig, Dean, University of Notre Dame de Namur.** Ms. Greig said that private universities would bear the brunt of proposed changes. She compared the raising of fees from \$55 to \$70 (or at least to \$65) as similar to raising the speed limit. She closed by stating that most dilemmas don't have simple answers, but this one does: Fee restoration.

**Linda Hoff, Fresno Pacific University, Independent California Colleges and Universities Council on the Education of Teachers.** She said that that restoring the fee would represent a resounding cheer for the work of the Commission. The 2042 credential is one of the most rigorous credentials ever in California. The 2042 credential is working. She added that it was important not to end the subject programs. This move would in making the universities perform these roles.

**Maria Sudduth, Teacher Development and Credentialing Programs, Orange County Office of Education.** Ms. Sudduth recounted one of her Hmong students, who is now out of the program because she couldn't afford the fees. To add TPA fees would add costs to students. The state would lose first generation students who cannot afford the costs. She concluded by issuing her support for the Commission.

**Dr. Nina Winn, Administrator of Teacher Development and Credentialing Programs, Orange County Office of Education.** She began by stating her appreciation of the technical support from the Commission. To reeducate another agency would be a problem. She closed by recommending that the Commission restore the credentialing fee.

Dr. Winn's remarks closed public comment. Commissioner Bustillos thanked the public for their comments.

Commissioner Stordahl began the ensuing discussion, stating that it took two days to read through the agenda items. He added that there was no way the Commission can win in this situation. In looking at all the areas in which the Commission is involved, he said that the professional services were most important to him and that the fee in this area is very important. He then sought to streamline the process for approving this agenda item. He moved to accept CAW Options 2, 3, 4, 5, 6 and 7; accept all of the recommendation accept DPP Options 1-7; accept Administrative Options 1-5; PSD Options 1, 6, 7, 8 and 10; oppose CAW Option 1; and Oppose PSD Option 2, 4, 5 and 9. He then moved to look at PSD Option 3 a separate item. Commissioner Banker seconded his motion.

April 14, 2005 Commission Meeting  
Approved Minutes

Commissioner Banker praised staff and recognized how tough these options are because they mean jobs. She added that she could not support raising teacher credentialing fees.

Commissioner Littman noted that PSD Option 10, DPP Options 1, 2, 3, 5, 6, 7, and Administration Option 1 would require statute changes and asked staff what would happen if there is no legislative support for these options and the statutory changes required. Ms. Hill responded that the Commission would need legislative approval. Even then changes wouldn't go into effect until January 1, 2006. So, the Commission would lose a half-year's revenues. Secondly, the Commission would not have achieved the revenue enhancements or savings so Finance determines where the cuts would come from.

Commissioner Littman expressed her concern that if these changes do not happen in statute, then the Commission will lose its authority and accountability.

A discussion ensued about the best way to take action on this item given time constraints and the need for full consideration of all points of view. It was suggested that the Commission look at the various options by the four sections rather than as a whole. Commissioner Stordahl withdrew his motion and Commissioner Banker withdrew her second.

Commissioner Stordahl then moved to support CAW Options 2, 3, 4, 5, 6 and 7; oppose CAW Option 1. Commissioner Banker seconded the motion.

Commissioner Lilly moved to amend the motion on the floor by removing support for Option 7. Commissioner Johnson seconded. The motion as amended failed to pass in a roll call by a vote of 3-7 (Commissioners Johnson, Lilly and Littman voted yes; Commissioners Banker, Bustillos, Clopton, Gomez, Molina, Schwarze and Stordahl voted no).

The Commission then approved the original motion in a roll call by a vote of 7-2 (Commissioners Banker, Bustillos, Clopton, Gomez, Molina, Schwarze and Stordahl voted yes; Commissioners Lilly and Littman voted no; Commissioner Johnson was not in attendance at the time of the vote.)

Commissioner Stordahl moved to support DPP Options 1-7. Commissioner Molina seconded.

Commissioner Banker asked about the process because most of these items would require statutory changes. Ms. Armstrong confirmed that a bill would have to be drafted for consideration by the legislature, possibly as an urgency clause. If not passed as an urgency legislative item, it would not go into effect until January 1, 2006.

Commissioner Clopton had a question on DPP Option 5 and whether it applied to anybody who came under review for discipline or only for appeals cases. Ms. Armstrong replied that both options were looked at.

The motion carried by voice vote with Commissioner Johnson opposing.

Commissioner Stordahl moved to support Administrative Options 1-5. Commissioner Banker seconded.

Commissioner Littman discussed Administrative Option 2. She said this would send the wrong message to ex-officio positions. Their work and their perspective are valuable.

Commissioner Johnson pointed out that Administration Option 1 would require a statute change.

The motion carried by voice vote, with Commissioner Johnson opposing.

Commissioner Stordahl moved to support PSD Options 1, 6, 7, 8 and 10; and to oppose Options 2, 4, 5 and 9. His motion also called for treating PSD Option 3 separately. Commissioner Gomez seconded.

Ms. Waite said that Option 10 would probably lead to an elimination of programs, probably smaller programs such as small science, special ed programs.

Commissioner Banker asked for clarification about how Option 10 would bring in \$413,000. Ms. Graybill responded that the estimate was based on charging a flat fee for administration based on enrollment. There would also be fees for each program that is offered.

Commissioner Banker asked if there could be a limit placed on smaller districts. Ms. Graybill replied that there are probably a number of ways that a system could be established and that this option would require a statute change.

Commissioner Lilly moved to amend the motion in order to remove PSD Option 10. Commissioner Johnson seconded.

Both Commissioners Lilly and Johnson expressed their belief that by supporting Option 10 it would not result in the elimination of programs, but would instead cause additional costs to be passed along to the students. Both Commissioners stated that it makes no sense to oppose a \$15 fee increase [to already credentialed teachers] and then support this.

Commissioner Clopton said he understood the rationale. But on the other hand said that the way the budget works there are certain sources of income and certain services provided. There is a great disparity between the income and services. He felt, then, that this was a reasonable expression of the Commission's situation.

April 14, 2005 Commission Meeting  
Approved Minutes

Commissioner Lilly said that the institutional investment far exceeds the Commission costs of conducting assessments. Dr. Wilson affirmed Commissioner Lilly's statement that this Option is a cost to CSU.

The motion to drop PSD Option 10 failed to pass on roll call by a vote of 4-6 (Commissioners Bustillos, Johnson, Lilly and Littman voted yes; Commissioners Banker, Clopton, Gomez, Molina, Schwarze and Stordahl voted no).

The Commission voted 7-3 to adopt the original motion for PSD (Commissioners Banker, Bustillos, Clopton, Gomez, Molina, Schwarze, and Stordahl voted yes; Commissioners Johnson, Lilly, and Littman voted no).

Commissioner Stordahl moved to modify PSD Option 3 by eliminating 1 position instead of 3. Commissioner Gomez seconded.

Commissioner Lilly said he opposed this amendment because it tells staff that the Commission wants staff to do this function but with fewer people. Commissioner Banker said she did understand and empathized, but that is the position the state is in. She asked for clarification about whether the Commission could consider other options or did it have to focus on items on the agenda. Ms. Graybill replied that the budget is agendized and therefore any items that come up for discussion as part of the budget are appropriate.

Ms. McGrath asked whether two people could do the work of three. Ms. Graybill replied that it would be a very difficult, noting that the level of technical assistance to programs would likely be reduced.

Commissioner Clopton asked for clarification about what this staff does. Ms. Graybill responded that existing programs to project the number of candidates that they will be serving each year staff initiate "call" or Competitive Grant Process (CGP) for draft proposals for institution that want to offer new programs. Staff works in concert with fiscal staff to make sure the CGP abides by the state's rules for contracts and grants. Staff then receives proposals, coordinates the review of proposals, make recommendations about whether programs should be funded or not. Staff serves about 8,400 interns in almost every school district in the state, so the level of technical support is important to these programs and working with the fiscal officers. Another part is the accountability function. Each year the Commission asks organizations to provide fund reports on how money was spent during the year. The review determines if money is spent appropriately.

Commissioner Banker agreed with Ms. McGrath but felt the state is operating with such difficulties and that these are not decisions the Commission wants to make. Unfortunately, she stated, the reality in the state is that either we have to make this decision or someone will make it for us.

The motion to modify PSD Option 3 as proposed failed on a roll call by a vote of 4-4-2 (Commissioner Banker, Gomez, Schwarze and Stordahl voted yes; Commissioners

Bustillos, Johnson, Lilly, Littman voted no; Commissioners Clopton and Molina abstained).

Commissioner Lilly moved to not adopt PSD Option 3. Commissioner Johnson seconded. The motion and second were withdrawn after it was pointed out that it was not necessary.

Commissioner Lilly moved that the Commission propose and advocate a restoration of the credential fee.

Commissioner Schwarze felt that the Commission could not take action on this because it is not on the agenda. Commissioner Bustillos felt that this should be put on the agenda at next meeting. Commissioner Lilly said he would withdraw the motion if he could be assured that it would be put on the agenda next meeting (May/June 2005).

Commissioner Clopton asked when Finance would provide feedback on the positions the Commission was taking. Staff replied that this would be available May 14 (May Revision).

Commissioner Johnson suggested that the Commission ask for what it wants because there is a possibility it might get it.

Commissioner Lilly said that the Commission has not heard from one constituent group opposing the fee restoration. He said the Commission needs to take a stand on this issue and would withdraw his motion only if the item returns at the agenda next meeting. Chair Schwarze noted that it would be added to the May/June meeting.

## **PROFESSIONAL SERVICES COMMITTEE**

### **5A: Options for determining the Knowledge, Skills, and Abilities for the California Teacher of English Learners (CTEL) Examination**

Ms. Amy Jackson, Administrator, and Mark McLean, Consultant, both of the Professional Services Division, began the presentation by introducing Dr. Allen and Dr. Karlin from National Evaluation Systems. Ms. Jackson stepped through Table 1, which showed the timeframe and activities that began in May 2004 and continued through January 2005 for developing and validating the CTEL's knowledge, skills and abilities. She noted that an initial finding and recommendations were presented in March 2005, and that two additional options were being presented for consideration at this meeting.

Mr. Wilson said he was not here for the presentation in March, but the KSAs appear to be a very thorough job. He noted that this staff put in some very good effort and work. Option 1 would seem to get us down the road within the timeline.

Ms. Bloom asked if the Commission knew how universities were following SB 2042. Ms. Jackson responded that a review is conducted by Commission staff and by peer reviewers. Ms. Graybill clarified that an accreditation reviews also evaluate how Program sponsors are meeting the 2042 standards and this typically includes 12

institutions per year. The team includes reviewers with expertise in the particular areas they are asked to review. These visits have limited to those visits in recent years. This year there were to those visits in recent two accreditation visits. Last year there were issues have limited to those visits in recent years. This year there were two accreditation visits. Last year there were also two. There are over 90 institutions that offer credential programs in California. Budget issues have constrained the capacity of the Commission to conduct a full accreditation schedule.

Commissioner Bustillos referred to page 5A-6 and wanted clarification on program standards. Ms. Jackson said candidates may take coursework or an exam to get certified. Therefore, it is important to make sure coursework is aligned with the test specifications. The design team would try to align both these.

Commissioner Bustillos clarified that today the Commission would only be voting on test specifications. Ms. Graybill added that the KSAs would drive the work on the development of the standards program to ensure that both routes are equivalent.

Commissioner Clopton expressed concern about KSAs and what would be expected from teachers in general. Secondly, he was also concerned the content (page 1-1-1: domain 2: 006) that requires high expectations in all these areas. He said this does not seem amenable for testing.

Ms. Jackson said that Option 2 could give the opportunity to make revisions to either clarify the language or to make changes to it. However, Option 2 could set the effort back at least 6 months. We would bring findings from the review of the changes in the fall.

Commissioner Banker asked if under Option 1 there could be edits or if the document had to be accepted as written. Dr. Allen advised that if the KSAs need a little tweaking or a lot tweaking then the Commission should take the time to make that effort, noting that California tends to lead the way on these things so it could set a trend nationally. Dr. Allen's view was that if the changes amounted to just a few word changes or clarifications then it probably would not delay the process. But if changes were more substantive then a validation process should proceed, which could result in a six-month delay.

Commissioner Gomez said it was his sense that Commissioners Banker and Clopton's changes were only for clarification and were of a minor nature.

Staff handed out copies of Commissioner Banker's edits to the original KSA document included in the agenda item. She characterized her edits as relatively minor, with her intent being to give professors more flexibility. She added that many of the edits went towards demonstrating KSAs rather just identifying them.

Dr. Allen indicated that he did not feel comfortable making a decision in the meeting about whether to go forward with the changes or to proceed with another validation process without examining the changes more thoroughly.

The public was asked to comment on this agenda item.

**Esther Bousquet, 2<sup>nd</sup> grade bilingual teacher.** Ms. Bousquet said that she has been teaching for 19 years and that she was part of the design team that created the KSAs. She stated that she was proud of the entire document. As a teacher she has seen some subtle racism in the classroom and therefore believes the cultural component needs to be a part of the KSAs. She respectfully requested that the Commission approve the KSA document as is.

**Elizabeth Jimenez, Legislative and Education Policy Analyst, CCTE.** Ms Jimenez said she was speaking as an individual who has worked with ELD and bilingual education over the years. She has been encouraging staff to move forward with developing the examination. If the Commission opts for Option "1-1/2" (Option 1 with Commissioner Banker's edits) then she urged the Commission to move quickly to prevent delays.

**Ken Burt, California Teachers Association.** Mr. Burt encouraged the Commission to use judicial restraint, and to avoid micromanagement. The Commission has been very fair to share information and provide opportunity for open dialogue for stakeholders. Other public agencies are not as open as the Commission. He urged that the Commission take a month to review changes and allow public input.

**Karen Cadiero Kaplan, California Teachers of English to Speakers of Other Languages.** She said that she was speaking more from her role as an assistant professor at SDSU. She believed that the original document represented the KSAs needed by teachers teaching English learners. The changes do not appear to make substantive changes but just further clarify the original document.

**David Simmons, Coordinator, Ventura County Teachers Superintendent's Consortium.** He expressed the only concern his organization had related to the Williams lawsuit. He stated that there was an urgent need to move forward with this process.

**Kathy Harris, California Teachers Association.** Ms. Harris said that Commissioner Banker's changes were substantive and that stakeholders should have chance to look at them.

**Susan Westbrook, California Federation of Teachers.** Ms Westbrook urged the Commission to adopt Option 1 (adopt the KSAs recommendation in the agenda item). She felt that the document was very well done. Some of the edits provided by Commissioner Banker are covered in RICA and other standards. The changes are redundant and unnecessary.

**Martha Zaragoza Diaz, California Association for Bilingual Education.** She stated that she was not opposed to giving stakeholders additional time to look at these changes, but asked that by next month that staff have a recommendation about these proposed changes.

Commissioner Johnson asked Commissioner Banker if she made the changes herself to the documents. Commissioner Banker responded that she had. Johnson said she was confused by one of the edits that suggested that teachers need not be aware of cognitive styles and learning styles. Commissioner Banker said that was not her intent, but that she had interpreted that item differently [than Commissioner Johnson].

Commissioner Gomez said he took particular note of the comment earlier that California casts a long shadow in influencing other states. He saw the proposed changes as minor, unless the consultants saw it differently. He also added that RICA standards are different and these changes not redundant.

Dr. Wilson commented that there has been enough comment on this that the Commission should take another month as many of the stakeholders have encouraged the Commission to do.

Commissioner Schwarze said that when the Commission looked at the KSAs last month they seemed like they were from a different era. When she looked at this document [Commissioner Banker's editing version] it seemed to be the same thing but has more neutral language. She said that she is very concerned that what the Commission does here might get replicated and it shouldn't be done in a vacuum.

Commissioner Bustillos said that as a bilingual teacher she thought the KSAs were very well done. She noted that the KSAs are a framework to the testing, which are in turn then a framework to the standards. Adding this language might connect the KSAs more directly to standards. It was her impression that everyone was on the same page in this regard.

Commissioner Molina asked how long making changes would delay the process.

Ms. Jackson stated that if changes were substantive enough then it would be necessary to go through entire validity process, but it is up to the Commission to determine how to proceed. If the decision is to start again with the validation process then there would be a six-month delay. In the meantime the CLAD exam would be used, though it would need to be re-examined.

Commissioner Banker moved to delay action on approving the KSAs for a month to give stakeholders a chance to review and provide feedback to bring it back next month and to delegate to Chair Schwarze, Vice Chair Johnson, and the Executive Director the delegated authority to make decisions and provide clarification, if needed, during the month. Commissioner Gomez seconded and the motion carried without dissent.

**5B: Options for Reviewing Bilingual Certification**

Ms. Susan Porter, Consultant, Professional Services Division, provided background on this item. She noted that at the October 2004 Commission meeting, staff presented an agenda item that provided a historical background on bilingual education and bilingual certification in California. At that time, the Commission directed staff to develop a proposal for the review of bilingual certification requirements. Commission staff presented a plan at the February 1, 2005 meeting that included the involvement of stakeholders in reviewing the Commission's bilingual certification structure. The Commission directed staff to prepare a detailed proposal of a plan that would include options for stakeholder involvement, estimates of costs, and a description of how standards would be developed. Due to lack of time this presentation was delayed until today. This agenda item is similar to last month's item 7D, which was not presented. There is one change, which adds a section on bilingual education services in California. This section provides the following information: the purposes of bilingual education, total number of students receiving primary language services 2003-2004, the types of services requiring certification, the total number of students in immersion programs, BCLAD certificates issued by the Commission during 2003-2004, teachers teaching with emergency BCLAD permits or waivers.

The public was invited to comment.

**Karen Cadiero Kaplan, California Teachers of English to Speakers of Other Languages (CATESOL).** Ms. Kaplan referenced the letter she submitted on this subject and results of a survey presented last month. She mentioned that her letter reference's CATESOL's recommendation for stakeholder involvement.

**Martha Zaragosa Diaz, California Association for Bilingual Education (CABE).** Ms. Diaz concurred Ms. Kaplan. She recommended that the Commission create an advisory panel or an advisory workgroup with the same authority as an advisory panel. Also, she would like the Commission to look at their letter about who should participate on the advisory work group or advisory panel.

**Mary Sandy, Associate Director of Teacher Education, CSU Chancellor's Office.** Ms. Sandy said that she was speaking behalf of the higher education coalition. She expressed the Coalition's support in general for this work. She urged the Commissioners to include site administrators. She expressed a concern about the increasing practice of shifting the costs to participants because this could limit representation and not provide all the proper perspectives.

**Elizabeth Jimenez, Legal and Education Policy Analyst, CCTE.** Ms. Jimenez said that her group has been coming here many months. Even so, she said that the message was the same: hurry up and do it. She offered her agreement with Ms. Sandy about not burdening the stakeholders with funding the work. She concluded by saying that this effort needed standards developed.

**Dr. Zartman, Professor, CSU Chico.** He began by saying that he had been here for three months, but that really this was something started in September 2001. He said that today was the day and that he was very excited that the Commission has given this its full attention to this matter. There are constituency groups who are ready, willing and able to get this done. Echoing comments of the previous two speakers, he urged that the advisory panel or group be fully funded.

**Susan Westbrook, California Federation of Teachers.** She said that CFT continues to support the review of the bilingual certification process, stating that it was long overdue. She recommended regional meetings so that stakeholders who could not come to Sacramento would be represented. She further recommended that the advisory workgroup be financial supported by the Commission. She said that CFT would be happy to be invited as a stakeholder as this is important work.

Commissioner Bustillos noted that bilingual teaching is very difficult. She said that this is a complicated matter because of the need to figure out the who, the where and the what. She moved that the Commission fully fund the Advisory Panel. The motion was seconded by Commissioner Johnson; the motion carried without dissent.

Dr. Swofford suggested the Commission look at the list on page 8 to see if representative stakeholders are acceptable.

Commissioner Bustillos recommended that site administrators (especially those with bilingual programs), bilingual teachers who are dual language and transitional practitioners, and administrators of these programs be added to the stakeholder list.

Commissioner Banker moved to set up an application process and have a panel review the application questions and the applications. In addition, at least two Commissioners with a background in bilingual education should be on the advisory panel so that issues can be resolved by the panel rather than before the full Commission.

After some discussion the motion was seconded by Commissioner Bustillos and the motion carried without dissent.

**5C: Options for the Establishment of Exam Fees for 2005-2006**

Ms. Crista Hill, Manager, Fiscal Business Services, presented this item, noting that it was not different from last month. She reviewed the four options for consideration:

- A. No change in fees
- B. Increase fee for each exam by \$5
- C. Increase fee for each exam by \$9
- D. Increase for each exam registration/section by \$5

The public was asked to comment on this agenda item.

**Susan Westbrook, California Federation of Teachers.**

She stated that the increases are steep for students just starting out. She said that she realized the funds are needed but wanted the Commission to think about the burden being put upon students.

**Jane Rodgers, student, Student California Teacher Association**

Ms. Rodgers indicated that she represented the students in the Association. She felt that students should not have to bear these costs. Some students must take the test multiple times to pass. These students are affected even more.

Ms. Bloom asked where would the money come from if these fees were not raised. Ms. Hill replied that funds would have to come from expenditure reductions.

Commissioner Johnson moved to adopt Option C. Commissioner Gomez seconded.

Ms. Waite questioned why the Commission deferred voting on restoring the credentialing fee and yet are now raising fees to students, who are least able to afford these costs.

Commissioner Banker raised the same concern.

Commissioner Gomez said our influence is limited and this is one of the only recourses we have. He said he did not see a lot of options but would like to see a better idea.

Mr. Wilson asked how much the Commission would have to raise the credential fee to compensate for this increase.

Commissioner Johnson noted that item 5A showed that every \$5 increase in certification fees would generate \$1.1 million so the increase to \$70 would generate \$3.3 million. She suggested that the first thing the Commission should do is try to reduce impact on new teachers (students). She made her motion only to seek the least onerous option.

Ms. Hill commented that there is a structural imbalance in the 2005-2006 budget, citing that there was not enough revenues to cover expenditures and the loan to the teacher credential fund.

Commissioner Johnson asked if a structural imbalance meant that the teacher credentialing is out of money. Ms. Hill replied in the affirmative and then gave more detailed explanation about the structural imbalance.

Commissioner Gomez said that if the Commission accepted the fee increase of \$5 there would still be a deficit of more than \$360,000. He asked if the Commission raised the exam fees now would there still be a need for an increase in the credential field. If so, he said, then he would like to withdraw his second to the motion.

Dr. Swofford commented that there was a middle ground. If the credential fee was raised \$5 or \$10 it might mitigate any test fee increases. He reminded the Commission that these are projections and there could be higher deficits than projected.

Commissioner Gomez withdrew his second of the motion. Commissioner Johnson withdrew her motion.

**5D: Competitive Grant Process for Funding New Alternative Certification Programs**

Dr. Michael McKibbin, Consultant, Professional Services Division, provided background on the competitive grant process. Each year since 1993 the Commission has issued a call for proposals for competitive grants for alternative certification programs. Currently, funds assist 73 programs that include partnerships with more than 800 districts. The grant funds enable the commission to meet the goals of the 1993 legislation including helping school districts meet their needs, bringing new kinds of teachers into the classroom, and developing new kinds of teacher preparation programs that link theory and practice. This agenda item would allow new programs to compete for available funds. Staff has received inquiries from programs that have not previously received funds such as charter schools, some University of California programs that have not had funded internship programs in the past, as well as various districts in regions that have not participated before.

Dr. McKibbin pointed out the three options before the Commission.

- A. Authorize staff to issue the CGP to enable new programs to compete for alternative certification
- B. Delay action or modify the CGP and provide staff direction on the modifications to be made
- C. Do not issue the CGP

Commissioner Bustillos commented that this was a fabulous program and then asked if the Commission had the personnel to do this. Dr. McKibbin replied that there was enough staff until that individual retired.

Ms. Waite said that she had heard there needs to be at least 50 participants to administer a local program. She asked if it was possible to run a small program that focuses on the high-need areas. Dr. McKibbin said that the math shows there is an economy of scale for enrollment and that staff believes the break-even point is about 25, but he said there were programs with as few as 6 people in it. The matching funds in such cases have to go up, but even so these programs keep coming back. There are people out there who want the \$2,500 per person and we are happy to fund them. For instance, the charter school in San Diego is looking at math and science and it will be a relatively small program.

Commissioner Clopton moved to approve Option A. Commissioner Banker seconded and the item was approved without dissent.

**5E: Initial Accreditation and Program Review**

Mr. Lawrence Birch, Administrator, Mr. Jim Alford, Consultant, and Ms. Helen Hawley, Consultant, all of the Professional Services Division, presented this item. Mr. Birch provided the item, noting that he would be discussing two different parts of the larger accreditation system. One is the area of initial accreditation and the other is the program approval. He reminded the Commission that he gave them information on the Commission's policies and procedures, the background, and the process.

The specific action requested was that the Commission act upon initial accreditation for the Santa Barbara County Education Office and that the Commission act upon the Single Subject Matter Preparation Program in English from California State University, Long Beach.

Commissioner Schwarze asked how many other English programs have already been approved. Ms. Hawley said that three programs have been approved under the new standards of a little more than 50 programs approved under the old standards.

Commissioner Schwarz followed with a questions about whether the course requirements the same at each institution. Ms. Hawley replied that the individual course requirements will vary by each institution, but they have to demonstrate how those courses meet the standards.

Commissioner Johnson moved that the Commission grant initial institutional accreditation to the Santa Barbara County Education Office and initial program approval to the Single Subject Matter Program in English at California State University, Long Beach. Commissioner Littman seconded and the motion was passed without dissent.

Reconvene General Session

**2I: Report of closed session**

The Commission denied Charlotte Lewis's Petition for Reinstatement.

The Commission adopted the following Proposed Decisions:

1. Evelyn Lossia
2. John Mossman

The Commission reconsidered and sustained its previous action in the matter of Cheryl Kinney.

**2J: Report of appeals and waivers committee**

The committee moved approval of the minutes, consent calendar, conditions calendar, and denial calendar.

**2K: New Business**

The Quarterly agenda for May/June, August and October 2005 was received.

There were no audience presentations.

**2L: Adjournment**

The next meeting is May 31-June 1, 2005.